## IN THE UNITED STATES COURT OF FEDERAL CLAIMS BID PROTEST

FMS INVESTMENT CORP, et al.	)	
Plaintiffs,	)	
v.	)	No. 19-308C, 19-472C, et al. Judge Wheeler
THE UNITED STATES	)	Juuge Wheeler
Defendant.	)	

## PLAINTIFF WINDHAM PROFESSIONALS, INC.'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Rule 41(a)(1)(A)(i) of the Rules of the United States Court of Federal Claims ("RCFC") Plaintiff, Windham Professionals, Inc. ("Windham") respectfully submits this Notice of Voluntary Dismissal of Case No. 19-472C, which has been consolidated with Case No. 19-308C, et al. Windham does not intend to pursue continued litigation in this matter, and therefore timely provides this notice of voluntary dismissal of its action before Motions for Judgment on the Administrative Record are due.

On March 29, 2019, Windham filed its Complaint in Case No. 19-472C, challenging the United States Department of Education's actions related to Request for Proposals, No. ED-FSA-16-R-0009. Case No. 19-472C, Dkt. No. 1. That matter was subsequently consolidated with the above-captioned protests. Case No. 19-472C, Dkt. No. 8. Motions for Judgment on the Administrative Record by plaintiffs in the consolidated cases are currently due on June 3, 2019. Case No. 19-308C, Dkt. No. 97.

Neither Plaintiffs nor Defendant have filed their respective Motions for Judgment on the Administrative Record in these consolidated cases. Therefore, Windham hereby voluntarily

dismisses without prejudice its March 29, 2019 action, Case No. 19-472C. RCFC 41(a)(1)(A)(i)-(B).

Respectfully submitted,

Dated: May 23, 2019

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